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COMMITTEE ON THE EXERCISE
OF THE INALIENABLE RIGHTS
OF THE PALESTINIAN PEOPLE

RESOLUTIONS OF THE GENERAL ASSEMBLY

TENTH EMERGENCY SPECIAL SESSION

(Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory)

1997/1998

Introductory note

1. At the request of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Secretariat since 1976 issues an annual compilation of resolutions and decisions relating to the question of Palestine adopted by the General Assembly at its regular sessions and by the Security Council (A/AC.183/L.2 and Addenda).

2. In April 1997, the General Assembly convened its tenth emergency special session. The session was resumed in July and November 1997, and in March 1998. As the emergency special session is a distinct mechanism from the regular sessions of the General Assembly, the resolutions adopted at those meetings have been compiled in a separate addendum.

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Tenth emergency special session

ES-10/2. Illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Aware of the commencement, after the adoption of General Assembly resolution 51/223 of 13 March 1997, of construction by Israel, the occupying Power, of a new settlement in Jebel Abu Ghneim to the south of East Jerusalem on 18 March 1997, and of other illegal Israeli actions in Jerusalem and the rest of the Occupied Palestinian Territory,

Noting with regret that the Security Council, at its 3747th meeting, on 7 March 1997, and at its 3756th meeting, on 21 March 1997, twice failed to adopt a resolution on the actions referred to above, as a result of the negative vote of a permanent member of the Council,

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until it is solved in all its aspects,

Reaffirming also the principle of the inadmissibility of the acquisition of territory by force,

Having considered the serious deterioration of the situation in the Occupied Palestinian Territory, including Jerusalem, and in the Middle East in general, including the serious difficulties facing the Middle East peace process, as a result of recent Israeli actions and measures,

Affirming its support for the Middle East peace process, started at Madrid in 1991, on the basis of Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978, for the principle of land for peace and for the full and timely implementation of the agreements reached between the Government of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and of all commitments reached between the parties,

Recalling its relevant resolutions, including resolutions 181 (II) of 29 November 1947 and 51/223, and the relevant resolutions of the Security Council, in particular those on Jerusalem and Israeli settlements in the occupied territories, including resolutions 252 (1968) of 21 May 1968, 446 (1979) of 22 March 1979, 452 (1979) of 20 July 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 672 (1990) of 12 October 1990 and 1073 (1996) of 28 September 1996,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of the unique spiritual and religious dimension of the City, as foreseen in relevant United Nations resolutions on this matter,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] and the Regulations annexed to the Hague Convention IV of

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[1] United Nations, Treaty Series, vol. 75, No. 973.

1907[2] to the Occupied Palestinian Territory, including Jerusalem, and all other Arab territories occupied by Israel since 1967,

Recalling the obligation of the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War to respect and ensure respect for the Convention in all circumstances, in accordance with article 1 of the Convention,

Conscious of the serious dangers arising from persistent violation and grave breaches of the Convention and the responsibilities arising therefrom,

Convinced that ensuring respect for treaties and other sources of international law is essential for the maintenance of international peace and security, and determined, in accordance with the preamble to the Charter of the United Nations, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained,

Also convinced, in this context, that the repeated violation by Israel, the occupying Power, of international law and its failure to comply with relevant Security Council and General Assembly resolutions and the agreements reached between the parties undermine the Middle East peace process and constitute a threat to international peace and security,

Increasingly concerned about the actions of armed Israeli settlers in the Occupied Palestinian Territory, including Jerusalem,

Aware that, in the circumstances, it should consider the situation with a view to making appropriate recommendations to the States Members of the United Nations, in accordance with General Assembly resolution 377 A (V) of 3 November 1950,

1. *Condemns* the construction by Israel, the occupying Power, of a new settlement in Jebel Abu Ghneim to the south of occupied East Jerusalem and all other illegal Israeli actions in all the occupied territories;

2. *Reaffirms* that all legislative and administrative measures and actions taken by Israel, the occupying Power, that have altered or purported to alter the character, legal status and demographic composition of Jerusalem are null and void and have no validity whatsoever;

3. *Reaffirms also* that Israeli settlements in all the territories occupied by Israel since 1967 are illegal and an obstacle to peace;

4. *Demands* immediate and full cessation of the construction in Jebel Abu Ghneim and of all other Israeli settlement activities, as well as of all illegal measures and actions in Jerusalem;

5. *Demands also* that Israel accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to all the territories occupied since 1967, and that it comply with relevant Security Council resolutions, in accordance with the Charter of the United Nations;

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[2] See Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).

6. *Stresses* the need to preserve the territorial integrity of all of the Occupied Palestinian Territory and to guarantee the freedom of movement of persons and goods in the territory, including the removal of restrictions into and from East Jerusalem, and the freedom of movement to and from the outside world;

7. *Calls* for the cessation of all forms of assistance and support for illegal Israeli activities in the Occupied Palestinian Territory, including Jerusalem, in particular settlement activities;

8. *Recommends* to the States that are High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War to take measures, on a national or regional level, in fulfilment of their obligations under article 1 of the Convention, to ensure respect by Israel, the occupying Power, of the Convention;

9. *Requests* the Secretary-General to monitor the situation and to submit a report on the implementation of the present resolution, within two months of its adoption, in particular on the cessation of the construction of the new settlement in Jebel Abu Ghneim and of all other illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory;

10. *Expresses the need* for scrupulous implementation of the agreements reached between the parties, and urges the sponsors of the peace process, the interested parties and the entire international community to exert all the necessary efforts to revive the peace process and to ensure its success;

11. *Recommends* that a comprehensive, just and lasting solution to the question of the City of Jerusalem, which should be reached in permanent status negotiations between the parties, should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the Holy Places by the faithful of all religions and nationalities;

12. *Rejects* terrorism in all its forms and manifestations, in accordance with all relevant United Nations resolutions and declarations;

13. *Decides* to adjourn the tenth emergency special session of the General Assembly temporarily and to authorize the President of the General Assembly to resume its meetings upon request from Member States.

3rd plenary meeting
25 April 1997

RECORDED VOTE ON RESOLUTION ES-10/2: 134-3-11

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, St. Kitts and Nevis, Saint Lucia, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of

Macedonia, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Israel, Micronesia (Federated States of), United States of America.

Abstaining: Australia, Canada, Germany, Latvia, Liberia, Lithuania, Marshall Islands, Norway, Romania, Rwanda, Uruguay.

ES-10/3. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Having received with appreciation the report of the Secretary-General,[1]

Recalling all relevant United Nations resolutions,

Reaffirming its resolution ES-10/2 of 25 April 1997,

Having been informed in the report of the Secretary-General that, *inter alia*, the Government of Israel, as of 20 June 1997, has not abandoned its construction of the new Israeli settlement at Jebel Abu Ghneim and that settlement activity, including the expansion of existing settlements, the construction of bypass roads, the confiscation of lands adjacent to settlements and related activities, in violation of Security Council resolutions on the matter, continues unabated throughout the Occupied Palestinian Territory, and also that the Israeli Prime Minister and other representatives of the Government continue to reject the terms of resolution ES-10/2 requiring the cessation of those activities,

Aware that, in the light of the position of the Government of Israel, as indicated in the report of the Secretary-General, the General Assembly should once more consider the situation with a view to making additional appropriate recommendations to States Members of the United Nations, in accordance with General Assembly resolution 377 A (V) of 3 November 1950,

1. *Condemns* the failure of the Government of Israel to comply with the demands made by the General Assembly at its tenth emergency special session in resolution ES-10/2;

2. *Strongly deplores* the lack of cooperation of the Government of Israel and its attempts to impose restrictions upon the intended mission of the Special Envoy of the Secretary-General to Israel and the Occupied Palestinian Territory, including Jerusalem;

3. *Reaffirms* that all illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory, especially settlement activity, and the practical results thereof cannot be recognized, irrespective of the passage of time;

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[1] A/ES-10/6-S/1997/494 and Corr.1 and A/ES-10/6/Add.1-S/1997/494/Add.1.

4. *Reiterates* the demands made in resolution ES-10/2, in particular for the immediate and full cessation of the construction of a new settlement at Jebel Abu Ghneim, to the south of Occupied East Jerusalem, and of all other Israeli settlement activities, as well as of all illegal measures and actions in Jerusalem;

5. *Demands* that Israel, the occupying Power, immediately cease and reverse all actions taken illegally, in contravention of international law, against Palestinian Jerusalemites;

6. *Recommends* to Member States that they actively discourage activities which directly contribute to any construction or development of Israeli settlements in the Occupied Palestinian Territory, including Jerusalem, as these activities contravene international law;

7. *Demands* that Israel, the occupying Power, make available to Member States the necessary information about goods produced or manufactured in the illegal settlements in the Occupied Palestinian Territory, including Jerusalem;

8. *Stresses* that all Member States, in order to ensure their rights and benefits resulting from membership, should fulfil in good faith the obligations assumed by them in accordance with the provisions of the Charter of the United Nations;

9. *Emphasizes* the responsibilities, including personal ones, arising from persistent violations and grave breaches of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[2]

10. *Recommends* that the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War convene a conference on measures to enforce the Convention in the Occupied Palestinian Territory, including Jerusalem, and to ensure its respect, in accordance with common article 1, and requests the Secretary-General to present a report on the matter within three months;

11. *Calls* for the reinjection of momentum into the stalled Middle East peace process and for the implementation of the agreements reached between the Government of Israel and the Palestine Liberation Organization, as well as for the upholding of the principles of the process, including the exchange of land for peace, and calls upon the two sides to refrain from actions that impede the peace process by pre-empting permanent status negotiations;

12. *Stresses* the need for actions in accordance with the Charter, to continue to ensure respect for international law and relevant United Nations resolutions;

13. *Decides* to adjourn the tenth emergency special session of the General Assembly temporarily and to authorize the President of the most recent General Assembly to resume its meetings upon request from Member States.

5th plenary meeting
15 July 1997

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[2] United Nations, Treaty Series, vol. 75, No. 973.

RECORDED VOTE ON RESOLUTION ES-10/3: 131-3-14

In favour: Albania, Algeria, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, St. Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Israel, Micronesia (Federated States of), United States of America.

Abstaining: Andorra, Australia, Costa Rica, Croatia, Germany, Latvia, Lithuania, Marshall Islands, Nicaragua, Romania, Russian Federation, Rwanda, Slovakia, Uzbekistan.

ES-10/4. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Having received the report of the Secretary-General submitted in accordance with paragraph 10 of its resolution ES-10/3 of 15 July 1997,[1]

Having received at an earlier date the report of the Secretary-General submitted in accordance with paragraph 9 of its resolution ES-10/2 of 25 April 1997,[2]

Determined to uphold the purposes and principles of the Charter of the United Nations, international humanitarian law and all other instruments of international law, as well as relevant General Assembly and Security Council resolutions,

Reiterating the demands made in resolutions ES-10/2 and ES-10/3, namely:

(*a*) The immediate and full cessation of the construction in Jebel Abu Ghneim and of all other Israeli settlement activities, as well as of all illegal measures and actions in Jerusalem;

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[1] A/ES-10/16-S/1997/798 and Add.1; see *Official Records of the Security Council, Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/798.

[2] A/ES-10/6-S/1997/494 and Corr.1 and Add.1; see *Official Records of the Security Council, Fifty-second Year, Supplement for July, August and September 1997*, document S/1997/494.

(*b*) That Israel accept the *de jure* applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] to all the territories occupied since 1967, and that it comply with relevant Security Council resolutions, in accordance with the Charter of the United Nations;

(*c*) That Israel, the occupying Power, immediately cease and reverse all actions taken illegally, in contravention of international law, against Palestinian Jerusalemites;

(*d*) That Israel, the occupying Power, make available to Member States the necessary information about goods produced or manufactured in the illegal settlements in the Occupied Palestinian Territory, including Jerusalem,

Aware that Israel, the occupying Power, has not heeded any of the above-mentioned demands and that it continues with its illegal actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory,

Having been informed in the report of the Secretary-General[2] of the responses of the High Contracting Parties to the Geneva Convention and of the collective responses transmitted through letters from the President of the Coordinating Bureau of the Movement of Non-Aligned Countries, the Secretary-General of the League of Arab States and the Presidency of the Council of the European Union, to the note sent by the Government of Switzerland in its capacity as the depository of the Convention,

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until it is solved in all its aspects,

Having received a letter dated 20 August 1997 from the Permanent Observer Mission of Palestine to the United Nations,[4] informing about specific cases of assistance by individuals for illegal settlement activities,

Gravely concerned at the continuing deterioration of the Middle East peace process and the lack of implementation of the agreements reached,

Reaffirming that all illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory, especially settlement activities, and the practical results thereof, cannot be recognized irrespective of the passage of time,

Recalling its rejection of terrorism in all its forms and manifestations in accordance with all relevant resolutions and declarations of the United Nations

1. *Condemns* the failure of the Government of Israel to comply with the provisions of resolutions ES-10/2 and ES-10/3, in particular the continuation of the building of a new settlement in Jebel Abu Ghneim to the south of Occupied East Jerusalem;

2. *Reiterates its call* for the cessation of all forms of assistance and support for illegal Israeli activities in the Occupied Palestinian Territory, including Jerusalem, in particular settlement activities;

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[3] United Nations, *Treaty Series*, vol. 75, No. 973.

[4] A/ES-10/14.

3. *Reiterates its recommendation* to the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War,[3] to take measures on a national or regional level, in fulfilment of their obligations under article 1 of the Convention, to ensure respect by Israel, the occupying Power, of the Convention, as well as its recommendation to Member States to actively discourage activities that directly contribute to any construction or development of Israeli settlements in the Occupied Palestinian Territory, including Jerusalem, as these activities contravene international law;

4. *Reiterates also its recommendation* that the High Contracting Parties to the Geneva Convention convene a conference on measures to enforce the Convention in the Occupied Palestinian Territory, including Jerusalem, and to ensure its respect in accordance with common article 1;

5. *Recommends* to the Government of Switzerland, in its capacity as the depository of the Geneva Convention, to undertake the necessary steps, including the convening of a meeting of experts in order to follow up on the above-mentioned recommendation, as soon as possible and with a target date not later than the end of February 1998;

6. *Requests* the Government of Switzerland to invite the Palestine Liberation Organization to participate in the above-mentioned conference and any preparatory steps for that conference;

7. *Calls* for reinjecting momentum into the stalled Middle East peace process and for the implementation of the agreements reached between the Government of Israel and the Palestine Liberation Organization, as well as for the upholding of the principles of the process, including the exchange of land for peace;

8. *Decides* that, in case of continuous lack of compliance by Israel, the occupying Power, with the provisions of resolutions ES-10/2 and ES-10/3, it shall reconsider the situation with a view to making further appropriate recommendations to the States Members of the United Nations in accordance with its resolution 377 A (V) of 3 November 1950;

9. *Decides* to adjourn the tenth emergency special session of the General Assembly temporarily and to authorize the President of the most recent General Assembly to resume its meetings upon request from Member States.

7th plenary meeting
13 November 1997

RECORDED VOTE ON RESOLUTION ES-10/4: 139-3-13

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Canada, Cape Verde, Chad, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Russian Federation, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian

Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Israel, Micronesia (Federated States of), United States of America.

Abstaining: Australia, Bulgaria, Burundi, Cameroon, Costa Rica, Georgia, Marshall Islands, Nicaragua, Romania, Rwanda, Swaziland, Uzbekistan, Zambia.

ES-10/5. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Reaffirming its resolutions ES-10/2 of 25 April 1997, ES-10/3 of 15 July 1997 and ES-10/4 of 13 November 1997,

Determined to uphold the purposes and principles of the Charter of the United Nations, international humanitarian law and all other instruments of international law, as well as relevant General Assembly and Security Council resolutions,

Increasingly concerned about the persistent violations by Israel, the occupying Power, of the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] including its settlement construction at Jebel Abu Ghneim to the south of Occupied East Jerusalem, and its failure to accept the *de jure* applicability of the Convention to the Occupied Palestinian Territory, including Jerusalem, and the rest of the Arab territories occupied since 1967,

Aware that the necessary steps recommended in paragraph 5 of resolution ES-10/4, including the convening of a meeting of experts with a target date not later than the end of February 1998 in order to follow up on the recommendations mentioned in paragraph 10 of resolution ES-10/3 and paragraph 4 of resolution ES-10/4, remain to be fulfilled,

1. *Reiterates its condemnation* of the failure of the Government of Israel to comply with the provisions of resolutions ES-10/2, ES-10/3 and ES-10/4;

2. *Reiterates* all the demands made in resolutions ES-10/2, ES-10/3 and ES-10/4, and stresses the necessity of the full and immediate implementation by Israel, the occupying Power, of those demands;

3. *Reiterates once again its recommendation* that the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949[1] convene a conference on measures to enforce the Convention in the Occupied Palestinian Territory, including Jerusalem, and to ensure its respect in accordance with common article 1;

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[1] United Nations, *Treaty Series*, vol. 75, No. 973.

4. *Reiterates its recommendation* to the Government of Switzerland, in its capacity as the depositary of the Geneva Convention, to undertake the necessary preparatory steps, including the convening of a meeting of experts in order to follow up on the above-mentioned recommendation;

5. *Extends* the target date for the convening of the meeting of experts of the High Contracting Parties until the end of April 1998;

6. *Reiterates* the request made in paragraph 6 of resolution ES-10/4 to the Government of Switzerland to invite the Palestine Liberation Organization to participate in the above-mentioned conference and in any preparatory steps for that conference;

7. *Reiterates its decision* that, in case of continued lack of compliance by Israel, the occupying Power, with the provisions of resolutions ES-10/2, ES-10/3 and ES-10/4, it shall reconsider the situation with a view to making further appropriate recommendations to the States Members of the United Nations in accordance with its resolution 377 A (V) of 3 November 1950;

8. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the most recent General Assembly to resume its meeting upon request from Member States.

9th plenary meeting
17 March 1998

RECORDED VOTE ON RESOLUTION ES-10/5: 120-3-5

In favour: Afghanistan, Algeria, Andorra, Angola, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Brazil, Brunei Darusalam, Burkina Faso, Canada, Chile, China, Colombia, Comoros, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, Samoa, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Zimbabwe

Against: Israel, Micronesia (Federated States of), United States of America.

Abstaining: Australia, Bulgaria, Marshall Islands, Romania, Swaziland.